BILL NO. Z-75-10-13

ZONING MAP ORDINANCE NO. Z-22-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots No. 32, 33 and 34, except Right-of-Way Grant for State Road No. 324 of the Delta Heights Addition to the City of Fort Wayne, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Krause
Councilman

APPROVED AS TO FORM AND LEGALITY,
Dan H Logan
Attorney for Common Council

Read the first time in full and on motion by Hinga seconded by Nuckols and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ the _____ day of _____ 19___, at _____ o'clock ~~P.M., E.S.T.~~

Date: 10-14-75 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by J. Schmidt seconded by Hinga and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

	AYES 7,	NAYS 0,	ABSTAINED 1,	ABSENT 1 to-wit:
Burns	✓			
Hinga	✓			
~~Hunter~~	~~✓~~		✓	
~~Ioras~~				
Nuckols				✓
~~Nuckols~~				
Nuckols	✓			
~~Moses~~				
Schmidt, D.	✓			
Schmidt, V.	✓			
Stier	✓			
Talarico	✓			

Date 9-13-77 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (Appropriation) Ordinance (~~Resolution~~) No. Z-22-77 on the 13th day of September, 19 77.

ATTEST: (SEAL)
Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING ~~OFFICER~~

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977 at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 23rd day of September, 1977 at the hour of 8 o'clock ____ a. m., E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-10-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 23, 1977.

Certified and signed this
31st day of Augst, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-75-10-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. F-7

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

WINFIELD C. MOSES, JR. - VICE CHAIRMAN — Winfield C. Moses Jr.

WILLIAM T. HINGA — William T. Hinga

DONALD SCHMIDT — Donald Schmidt

SAMUEL J. TALARICO — Samuel J. Talarico

DATE 9-13-77 CONCURRED IN CHARLES W.

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 552

CR# 1946

RECEIPT

GENERAL FUND

№ 028

FT. WAYNE, IND., Sept 12 1975

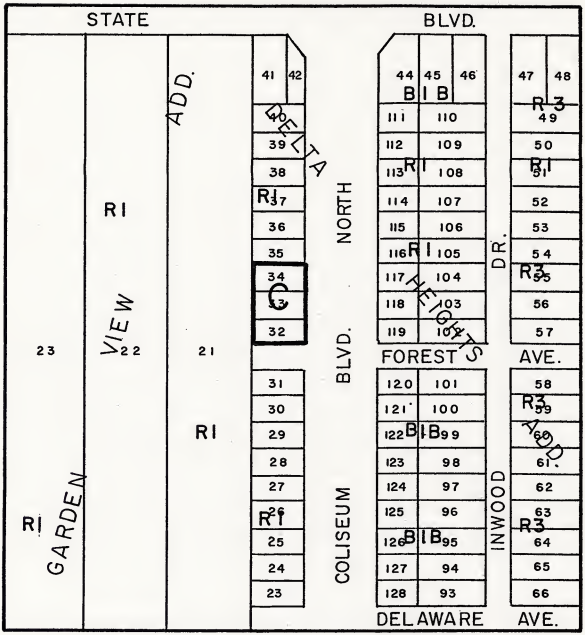
RECEIVED FROM Thomas Gallmeyer $50.00

THE SUM OF Fifty dollars and 00/100 DOLLARS

ON ACCOUNT OF Rezoning - Lots # 32, 33 & 34 Delta Heights

Nancy Hartman

AUTHORIZED SIGNATURE



C CHANGE FROM RI TO BIB

Z-75-10-13

N

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. _____

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We LOLA L.AYERS

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B-1-B District the property described as follows:

Lots No. 32, 33 and 34, except Right-of-Way Grant for State Road No. 324 of the Delta Heights Addition to the City of Fort Wayne, Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Lola L. Ayers

by (Thomas M. Gallmeyer)
Attorney at Law

(Name) (Address) (Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Thomas M. Gallmeyer (Name) Indiana Bank Bldg., Ft. Wayne, Ind. (Address) [422-9454] (Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-7571

Number assigned by Dave Keller's office: # 3892

Admn. Appr. ✓

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-75-10-13

DEPARTMENT REQUESTING ORDINANCE (Room # 340) Community Development & Planning

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following property: Lots # 32, 33, and 34, except right-of-way grant for State Road # 324, of the Delta Heights Addition, generally located on the northwest corner of Coliseum Blvd. North and Forest Avenue. From "R1" to "B1B"

EFFECT OF PASSAGE Petitioners are requesting a "B1B" -Limited Business. Property is presently zoned an "R1" District - One Family residential.

EFFECT OF NON-PASSAGE Property would remain an "R1" District

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulations

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

September 26, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of September 28, and October 7, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Zoning Map Ordinance

Bill No. Z-75-10-13
Zoning Map Ordinance No. Z-22-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

© F.W.B.C. 197

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	1
Body	number of lines	90
Tail	number of lines	2
	Total number of lines in notice	93

COMPUTATION OF CHARGES

93 lines, 1 columns wide equals 93 equivalent lines at .259¢ cents per line — $ 24.09

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

for extra proofs of publication (50 cents for each proof in excess of two) — 1.50

TOTAL AMOUNT OF CLAIM — $ 25.59

LEGAL NOTICE
Notice is hereby given that on the 13th day of September, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-75-10-13, Z-22-77 Zoning Map Ordinance, to-wit:
BILL NO. Z-75-10-13
ZONING MAP ORDINANCE
NO. Z-22-77
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-7
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. F-7, referred to therein, established by Section 7, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:
Lots No. 32, 33 and 34, except Right-of-Way Grant for State Road No. 324 of the Delta Heights Addition to the City of Fort Wayne, Indiana.
SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.
Eugene Kraust
Councilman
Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:
Ayes: Seven
Burns, Hinga, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter
Absent: One
Moses
Date: 9-13-77
Charles W. Westerman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-22-77 on the 13th day of September, 1977.
ATTEST:
(SEAL)
Charles W. Westerman
City Clerk
John Nuckols
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.
Charles W. Westerman
City Clerk
Approved and signed by me this 23rd day of September, 1977, at the hour of 8:00 o'clock A.M., E.S.T.
Robert E. Armstrong
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-22-77 passed by the Common Council on the 13th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 23rd day of September, 1977, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 23rd day of September, 1977.
CHARLES W. WESTERMAN
CITY CLERK
9-28-10-5

...UTING COST

9.9
...of single column ~~X~~ ems — Size of type 5½ point

...of insertions 2 — Size of quad upon which type is cast 5½

...ovision and penalties of Ch. 89, Acts 1967,

...at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just ...part of the same has been paid.

V. E. Gerken

...5, 19 77 — Title CLERK

...ACH COPY OF ...TISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

9/28 & 10/5/77

V. E. Gerken

Subscribed and sworn to before me this 5th day of October 1977

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 25.59

DATA FOR COMPUTING COST

Width of single column 9.9 ems — Size of type 5½ point

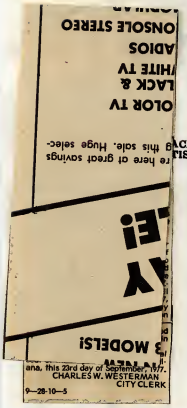
Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date October 5, 19 77 — Title CLERK



PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

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V.E. Gerken

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Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit) To JOURNAL-GAZETTE Dr.

Allen County, Ind. FORT WAYNE, INDIANA

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Anvilla DeWald

Title CLERK

ber 5, 19 77

ACH COPY OF TISEMENT HERE

LEGAL NOTICE

Notice is hereby given that on the 13th day of September, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-76-10-13, Z-22-77 Zoning Map Ordinance, to-wit:

BILL NO. Z-76-10-13
ZONING MAP ORDINANCE
NO. Z-22-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-7, referred to therein, established by Section 9, Article III of said Chapter 36, as amended, are hereby changed accordingly, to-wit:

Lots No. 32, 33 and 34, except Right-of-Way Grant for State Road No. 224 of the Delta Heights Addition to the City of Fort Wayne, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Krauss
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Hunter
Absent: One
Moses
Date: 9-13-77

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-22-77 on the 13th day of September, 1977.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of September, 1977, at the hour of 8:00 o'clock A.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-22-77 passed by the Common Council on the 13th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 23rd day of September, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 23rd day of September, 1977.

CHARLES W. WESTERMAN
CITY CLERK

9—28-10—5

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

9/28 & 10/5/77

Anvilla DeWald

Subscribed and sworn to before me this 5th day of October 19 77

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit) — To JOURNAL-GAZETTE Dr.

Allen County, Ind. — FORT WAYNE, INDIANA

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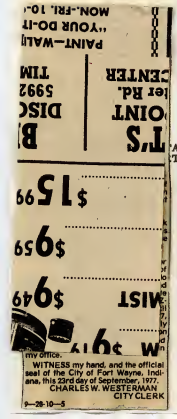
Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date October 5, 19 77 — Title CLERK



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ALLEN County }

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